

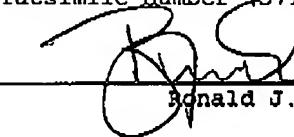
Dec. 7. 2009 10:22PM KUBOVCIK & KUBOVCIK

No. 3309 P. 11
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE HONORABLE BOARD OF PATENT APPEALS AND INTERFERENCES

Appl. No. : 10/521,439 Confirmation No. 9055
Applicant : Michio MINESHIMA et al.
Filed : January 14, 2005
TC/A.U. : 3763
Examiner : Christopher Koharski
Dkt. No. : NPR-159
Cust. No. : 20374

I hereby certify that this paper is being
facsimile transmitted on December 7, 2009, to
the United States Patent and Trademark Office
to facsimile number (571) 273-8300.


Ronald J. Kubovcik

NOTICE OF APPEAL

Mail Stop AF
To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

December 7, 2009

Sir:

Applicants hereby appeal to the Board of Patent Appeals and
Interferences from the decision dated June 5, 2009, of the Primary
Examiner finally rejecting claims 1, 2 and 5-11.

The items checked below are appropriate:

1. A petition for an extension of time to respond to the final
rejection was filed on December 7, 2009, for 3 months.

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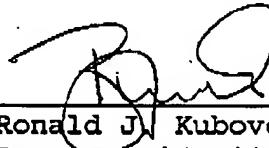
U.S. Patent Appln. S.N. 10/521,439
NOTICE OF APPEAL

PATENT

2. XX A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.

3. XX Fee \$ 540.00 or Small Entity \$255.00
XX Enclosed (as part of PTO-2038 for \$1,650.00)
 Not required (fee paid in prior appeal)

In the event this paper is not considered to be timely filed, applicant hereby petitions for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 111833, along with any other additional fees which may be required with respect to this paper.



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